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Daily



Press

THE WEATHER.
Fair today, light southerly winds; Thursday partly cloudy.

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NEWPORT NEWS, VA., WEDNESDAY, MAY 5, 1909.

PRICE TWO CENTS

ALLEGED SMUGGLERS TAKEN INTO CUSTODY

Result of Seizure of Smuggled
Trunks at New York a
Year Ago.

ONE OF ACCUSED PLEADS GUILTY

Arrests Result of Investigation by
Federal Grand Jury—Not Connected
With Recent Seizure of \$52,000
Worth of Dressmakers' Materials—
Three Held in Bail.

(By Associated Press.)
NEW YORK, May 4.—United States Marshal Henkel made four arrests today as a result of the seizure of smuggled trunks at this port about a year ago. Those taken into custody are George C. White, dealer in dressmakers' supplies; Lorne B. Walker, a former employee of the custom department; W. H. Kilgannon, former salesman for George F. Crowley, and Elizabeth Kilgannon, his wife. The four were arraigned before Justice Hough in the United States circuit court.

Walker pleaded guilty to a charge of conspiracy and was remanded, while the other three pleaded not guilty to a similar charge and were held in \$5,000 bail pending examination.

Probed by Grand Jury.
The arrest are a result of an investigation conducted before the federal grand jury by United States District Attorney Wise.

The arrests are not connected with the recent seizure of \$52,000 worth of dresses by the Federal authorities. The smuggling operation upon which the indictments are based are alleged to have taken place in the spring and autumn of 1907, when about \$15,000 worth of goods were seized.

PROSECUTION RESTS IN NAVAL STORES CASES

Florida Senator Mysteriously Secured
and Used Correspondence on
Floor of Senate.

(By Associated Press.)
SAVANNAH, GA., May 4.—Proceeding the announcement that the prosecution rested its case in chief at the close of today's session of the so-called naval stores "trust" case events of importance in the trial came in quick succession. The prosecution, through Assistant District Attorney Ackerman, announced that a case had not been made out against Charles J. Deloach, secretary of the American Naval Stores Company, and asked that a verdict of not guilty be returned in his case.

The examination of William H. Cochman, of Jacksonville, Fla., president of the Consolidated Naval Stores Company, proved of unusual interest apart from the fact that the examination ended abruptly because it was announced that he had become suddenly ill, and that at the afternoon session he was assisted as he walked to the witness stand.

Thinks Others Guilty.
As to the other defendants, after announcing the close of the opening battle, Attorney Ackerman stated he believed a case had been made out. Judge Sheppard declared a recess until tomorrow, when it is said that the defense will ask for the direction of a verdict as to all the defendants.

Mr. Cochman's direct examination was confined to a conversation he had in New York with Treasurer Boardman, a defendant, a conference with Mr. Miller in Jacksonville, and his objections to a contract which obtains between the Consolidated and the American Company, a contract, the American assured, it was stated, when it succeeded the S. P. Shetter and the Patterson and Downing Companies.

Senator Got Letters.

Mr. Cochman denied turning over to Senator Tallahassee, of Florida, some letters which the defense contended were taken from the third story of the building at 519 Magazine street, New Orleans, without their owners' consent. He stated, however, that he was aware these letters got into the hands of Senator Tallahassee and were used by him in Congress.

FOUR BARGES SUNK; FOUR LIVES LOST

Storm Severe in Long Island Sound—
Tugs Torn Loose From Their
Tows.

(By Associated Press.)
NEW HAVEN, CONN., May 4.—Driving with terrific force over the upper waters of Long Island sound

and a part of the Connecticut shore, one of the most severe storms experienced in several years claimed a toll of four lives during last night, sent four barges to the bottom of the sound off Branford, east one ashore in that vicinity and piled three others on the rocks off Faulkners Island. The persons drowned were Captain Marshall A. Percy, of the barge Susquehanna, his wife, 11-year-old son and a deck hand whose name has not been learned.

The tug Resolute and Hokendauqua left New Haven yesterday with their tow, coal laden, for Providence. They had barely gotten outside the harbor when they encountered the gale. When off Branford the hawsers parted and their tows went adrift, four of the barges later sinking and one going ashore. The remainder of the tows were later recovered and brought back to New Haven.

The tug Charles B. Sanford, bound east with a string of barges, laden with coal, felt the full force of the storm when off Faulkners Island. Four of her barges broke away, three of them being driven on the rocks. The fourth drifted about the sound for several hours until found and towed in here today by the tug Buoy which also found the body of Captain Percy's son.

ATTEMPTS SUICIDE.

Prominent Norfolk Woman, in Despondent Mood, Shoots Herself.

(By Associated Press.)
NORFOLK, VA., May 4.—Mrs. Sarah Nash, aged 60 years, a member of one of the most prominent families here, presumably despondent over ill health, shot herself through the head with suicidal intent at the home of her son today. Her cook discovered her lying unconscious in a pool of blood. Physicians say her recovery is impossible.

TO ASSEMBLE ON MAY 14

State Chairman of State Democratic
Committee Issues Call.

MUST FIX DATE FOR PARTY PRIMARY

Lieutenant Governor Also Announces
That Other Matters Relative to Gubernatorial Campaign Will Be Discussed—Meeting at Richmond Hotel.

(Special to Daily Press.)
RICHMOND, VA., May 4.—Lieutenant Governor J. Taylor Ellyson, State chairman, today called a meeting of the State Central Democratic Committee in this city for May 14 for the purpose of deciding upon a date for the State primary and to discuss other matters relative to the gubernatorial campaign. The meeting will be held in the evening at Murphy's hotel. Notices to the members of the committee were mailed tonight.

JURY AGREEABLY SURPRISES DEFENDANT

Seven Years Given Slayer Whose
Lawyers Practically Had Agreed
Upon 13 Years.

(Special to Daily Press.)
PULASKI, VA., May 4.—To the great disappointment of many spectators who crowded the courtroom expecting a long and exciting trial, Princeton Simpkins was found guilty of murder in the second degree and sentenced to seven years in the penitentiary today for killing Edward Rhodes.

Yesterday the attorneys in the case had about agreed on a verdict of eighteen years, but the friends of the dead man wanted the trial to proceed in hope of a first degree sentence.

The defense made its argument on the ground that the prisoner was a man of weak mind and descended from a race of mentally unsound people. It was in evidence that two of his brothers were idiots.

Few of the witnesses summoned were put on the stand.

LUMBERMEN COMPLAIN.

Westerners Find Fault With High
Railroad Charges.

(By Associated Press.)
WASHINGTON, D. C., May 4.—The entire yellow pine lumber schedule of rates in the country west of the Mississippi river is involved in a complaint of excessive rates, filed today with the Interstate Commerce Commission. The complaint was instituted by the Louisiana Central Lumber Company and thirteen other lumber manufacturing concerns in the Southern yellow pine territory against the Chicago, Burlington and Quincy Railroad Company and thirty-one other interstate carriers. Reduction of the rates on yellow pine from Louisiana, Arkansas, Missouri and Texas to Kansas, Nebraska, Colorado and Wyoming is demanded on the ground that they are excessive, unreasonable and unjust.

BRYAN CRITICISES CLARK OF FLORIDA

Writes Legislature His Ideas of a
Congressman's Duty to
His Constituents.

HE SHOULD BE LOYAL OR RESIGN

Nebraskan Unable to Accept Legislature's
Invitation to Deliver Address,
Sends Letter—Describes Two Opposing
Schools of Thought Now
Contending for Political Mastery.

(By Associated Press.)
TALLAHASSEE, FLA., May 4.—"When a representative cannot conscientiously desire him to do, he ought to be conscientious enough to resign and let them select a representative in harmony with them."

This, in brief, is William J. Bryan's criticism of Congressman Clark's attitude on the pending tariff bill, presented in a letter addressed to the Florida general assembly and read in the House tonight.

Mr. Bryan found it impossible to accept the invitation extended by the legislature to come to Tallahassee and address them in answer to Mr. Clark's criticisms of the Nebraska, and certain doctrines contained in the Denver platform.

Letter Greeted With Applause.
The reading of his letter was greeted with prolonged applause.

"There are two schools of thought," said Mr. Bryan, "in regard to the duty of the official, the aristocratic theory is that people elect representatives to think for them; the Democratic theory is on the contrary that people think for themselves and elect representatives to give legal expression to their thoughts and to voice their sentiments."

"I am suspicious of the official whose conscience is dormant during the campaign and only active when he wants to find an excuse for doing what his constituents do not want done."

Touches on Liquor Question.
Turning his attention from Mr. Clark, Mr. Bryan addressed himself to certain proposed legislation as follows:

"There is a reform which should receive the support of all, whether they believe in prohibition or not. The reform is this, that the Federal government should discontinue the issuance of licenses for sale of liquor in territory where local authorities decide to prohibit its sale."

Touching on trusts and monopolies, Mr. Bryan declares that "the trust question is one with which the State must deal. Under our dual form of government the monopolistic corporations have been playing each government against the other. They contend that they are engaged in interstate commerce when the State attempts to legislate, and are staunch advocates of State's rights whenever the Federal government attempts to restrain."

NO JOINT DEBATE BETWEEN CANDIDATES

Challenged B. Tucker, Nottoway
Candidate Said to Have Laid
Down Objectionable Rules.

(Special to Daily Press.)
LEBANON, VA., May 4.—Judge William Hodges Mann, of Nottoway, and Harry St. George Tucker, of Staunton, Democratic candidates for governor, were met by a large crowd of Russell county people when they came together here today for the third time in this campaign. Tucker immediately challenged Judge Mann to a joint debate, but Judge Mann side-stepped the issue by insisting upon such conditions that the Valley candidate was forced to decline.

Judge Mann named as his terms that Tucker open in one hour, he to follow in one hour. Tucker to remain in ten minutes and he to close in the same time—these conditions to be augmented by the further condition that no new matter should be injected into the situation.

Tucker refused to consider eliminating discussion of any new matter that may arise, but offered to meet Judge Mann in ten other discussions during the campaign. Judge Mann refused to accept any arrangements for future debates, saying he did not think they would be to the best interests of the party. Both candidates then spoke independently. It is said that the majority of the people of Lebanon were opposed to a joint debate.

To Permit Horse Racing.

(By Associated Press.)
LITTLE ROCK, ARK., May 4.—The Senate by a vote of 17 to 12 today passed the Bradley bill permitting racing at Hot Springs. The bill will be reported to the House tomorrow.

CABELL STRONG IN RACE FOR NOMINATION

Richmond Postmaster the Present
Favorite in Contest For Republican
Gubernatorial Nomination.

CHRISTIANBURG, VA., May 3.—According to the Republican leaders of the Montgomery county, the Republican candidate for Governor who will oppose either Harry St. George Tucker or William H. Mann will be Royall E. Cabell, the postmaster of Richmond. In speaking of the gubernatorial fight, a Republican officeholder, who is high in his party's councils, said that there was no Republican in Virginia with the possible exception of Representative Slemph who had the influence and power that Mr. Cabell possesses. "If Cabell wants the nomination he can get it for the asking," said this man, "and if he doesn't want it, in my opinion, it will be forced upon him, and he will be compelled to accept it." Continuing he said, "President Taft, is exceedingly anxious to make a bold attempt to carry Virginia, and will give the matter his personal attention, and will call upon the very best speakers and workers of the Republican party to help in the fight."

"Mr. Cabell is a warm personal friend of Postmaster-General Hitchcock, and his nomination as a Republican candidate will carry with it national influence."

In speaking of the contest in the Fifth district, in which Parsons is attempting to unseat Saunders, the Montgomery Republican said that it was thought that Parsons would be awarded the seat. "But in any event," he declared, "Governor Swanson will certainly run for Congress from the Fifth district next time, and he will be able to defeat any Republican who is put up against him. Governor Swanson is very strong with the Republicans in the Fifth district, and believe that if Floyd county were put back in the district Swanson would very probably carry it for the Democrats."

Discussing the late presidential campaign, he said: "The Republicans in the Southwest were strong for Roosevelt, but were very lukewarm for Taft."

"In Montgomery county Taft only received a majority of eighty-six votes when, indeed, he should have received more than 100 in excess of this. The fact is that the people out here are very devout and they never took kindly to Taft's Unitarian doctrines."

In conclusion the Republican officeholder declared that Henry C. Stuart would have carried his section overwheemingly and would have received a large number of Republican votes had he continued in the race.

FRENCH AMBASSADOR WILL BE AT PETERSBURG

Proud of the Part His Countrymen,
LaFayette and L'Enfant, Had in
History of America.

PETERSBURG, VA., May 4.—M. Jusserand, French ambassador to the United States, has accepted an invitation to attend the reception and lawn fete to be given in honor of President and Mrs. Taft at Center Hill mansion on the evening of May 19. The ambassador is known to be proud of the connection his countrymen, LaFayette and L'Enfant, had with the early history of the United States, and had read the history of the war between the states closely. Ambassador Jusserand has consented to make an address during his stay in Petersburg.

M. Jusserand is one of the many distinguished men who have indicated their intention of coming to Petersburg to participate in the social and patriotic festivities which are counted upon to make the visit of the chief executive, Mrs. Taft, Governor Stuart, of Pennsylvania, and Governor Swanson of Virginia, a memorable occasion. Invitations have been sent out to distinguished men in Washington and many states, and the assemblage at the alfresco luncheon, reception, and unavailing exercises promises to be a most brilliant one.

As the day of the all-important event is but a few days more than two weeks off, Petersburg is teeming with life and activity, and the coming functions are the sole topics of conversation. Within the present week contracts will be let for everything deemed necessary to insure the President of the United States one of the grandest times in his official career.

PRESIDING BISHOPS.

Named For Various Methodist Conferences—Hodge and Morrison to Virginia.

NASHVILLE, TENN., May 4.—The college of bishops of the Methodist Episcopal Church South today made its appointment of bishops to preside over the various conferences.

Among them are:

Bishop A. W. Wilson, North Carolina, Raleigh, N. C. December 1; South Carolina, conference, Abbeville, S. C. December 8; Baltimore conference, Washington D. C. March 22.

Bishop Candler, Cuban Mission, San Diego, Cuba January 14, 1910.

CUSTOMS OFFICIALS MADE THE SCHEDULES

This Charge Entered By Iowa Republican Senator Against
Pending Tariff Bill.

ALDRICH PROTESTS AND EXPLAINS

Declares Republican Leader Told Him
Rates Were Made in New York Custom House—Aldrich Denies, Then
Explains—Row Arouses Interest and
Creates Amusement.

(By Associated Press.)
WASHINGTON, D. C., May 4.—Senator Dolliver spoke on the tariff today and enlivened the proceedings of the Senate. Mr. Dolliver said he had been accused in pursuing the course he had taken in support of lower tariff duties, of a "more cowardly acquiescence in a sentiment in Iowa."

He read a criticism to the effect, saying he would not have done so were it not an authentic report from the Senate chamber itself.

He said his course was in pursuance of a contract entered into with the people of his state nine years ago when he was first elected to the Senate.

Question of Veracity.
When Mr. Dolliver declared, as he said, upon the authority of Mr. Aldrich, that the schedules of the pending bill were made by officers of the New York custom house, and not by the committee on finance, Mr. Aldrich promptly denied that he had made a statement on which any such assertion could be based.

When Mr. Dolliver reiterated his statement, Mr. Aldrich again protested against what he declared was absolutely false. Still declaring that the Senator from Rhode Island had said that the officials had written the schedules, Mr. Aldrich a third time arose to protest. He explained that what he had said was that the office experts of the government had been entrusted with the duty of calculating the amount of the specific duties imposed in place of the ad valorem rates, but that he had turned over to them the making of the duties, he denied.

Aldrich's Feelings Agitated.
Mr. Dolliver read from Mr. Aldrich's remarks and declared that his interpretation of these remarks was "warranted by a man agitated in his feelings."

"I know he is agitated," said Mr. Aldrich, looking over the chamber, "and I trust I will not have no occasion to allude to it."

Mr. Dolliver proceeded, referring to Mr. Aldrich's remarks on a former occasion to the effect that he was "circulating false Democratic tariff rumors."

His quotation of Mr. Aldrich's remarks was again excepted to by the senator from Rhode Island, who declared that the Iowa senator was speaking "from a guilty conscience."

Cuts Aldrich Off.

Mr. Dolliver proceeded and Mr. Aldrich, interrupting to say something about senators coming to him with samples of cotton goods, he was sharply cut off by the senator from Iowa, who refused to yield for what he declared was intended to be an answer to an argument he had not yet made, and he declined to permit the senator from Rhode Island to complete his statement, saying he would not permit his remarks to be sneeringly contradicted in his own time.

With strong voice the words of the Iowa senator resounded through the chamber. Quick of retort, he frequently provoked laughter.

When Senator Warren undertook to give some information concerning the wool business, Mr. Dolliver replied that he had studied the wool business "from the birth of the lamb to the manufacture of a piece of cloth."

Repeating Democratic Speeches.
After Mr. Dolliver had criticized the practice of applying the wool tariff to articles of clothing that have in them a trace of wool, Mr. Aldrich interposed to say he wished to introduce in the record remarks by the late Senator Jones, of Arkansas and Vest of Missouri, both Democrats, on precisely the same line.

"The statement the senator is now making," said Mr. Aldrich, "could have been read word by word from speeches of Senators Jones and Vest, and they would have produced the same effect."

Mr. Dolliver declared he was for the Dingley cotton schedule and inquired

of Mr. Aldrich whether the cotton manufacturers, when before the House committee had not said they did not want those rates increased.

Mr. Aldrich said he did not know what had taken place before that committee.

Tillman Wants Intermission.
When Mr. Dolliver had spoken for three hours Mr. Tillman, South Carolina, requested that he suspend until tomorrow and permit the Senate to adjourn. Mr. Tillman declared that he was not fatigued for he said, he never had enjoyed anything more in his life, but the session had run for six hours.

Mr. Dolliver agreed, but Mr. Aldrich announced that discussion of the bill would go on. After numerous appeals from the motion of the South Carolina, Mr. Aldrich yielded but he gave notice that the country was waiting for the final passage of the bill and said that better progress must be made and hereafter the sessions would be longer.

PARDONS BIG THIEF.

Stole \$16,000 From State of North Carolina.

(By Associated Press.)
RALEIGH, N. C., May 4.—Governor Kitchin, today, pardoned Major W. H. Martin seventy years old who stole over \$16,000 from the state treasury while he was chief clerk 1897 to 1901 during the administration of Governor Russell, Republican.

The thief was discovered in 1901, when the Democrats came into power and Martin was sentenced for ten years. He was a major in the Federal army. The pardon was granted because of his feeble health.

INCOME TAX DISCUSSED

Senators Talk on Either Side of
Proposed Measure.

WHAT MEANS DIRECT TAXATION?

Root Declares Property Pays Its
Share of Taxes to Government—
Bailey Challenges Assertion—Latter
Opposes Tax Upon an Occupation.

(By Associated Press.)
WASHINGTON, D. C., May 4.—Continuing his speech on the income tax amendment to the pending tariff bill today, Senator Borah, of Idaho, again referred to the legal status of the Pollock case in which the Supreme Court of the United States decided that the tax was not constitutional, combating the idea that the constitution's framers did not know what were direct taxes. He believed that they had in mind a definite idea of the nature of such taxes which did not apply to such a tax as was proposed on incomes.

Mr. Borah contended that the principle of the income tax applies to the inheritance tax, which is either a tax on real estate or on the right to tax real estate. If one was unconstitutional the other was equally so.

Senator Root, of New York, followed Mr. Borah. He submitted some statistics to show the extent to which the wealth of the country is now taxed by States, counties, and municipalities.

Root Defends the Wealthy.
"Is it not a fact," said Mr. Root, "that in this republic property does not bear a very great proportion of the burden of taxation?"

He gave figures to show that the ad valorem taxes levied upon property are at the rate of about three-quarters of one per cent., which, he said, would be equivalent to an income tax of 15 per cent. throughout the country. He said that in New York State, real estate does not yield a net income of more than three and one-half to four per cent.; so that he regarded this tax as very considerable.

Bailey Challenges Root.

While challenging Mr. Root to find anything in his remarks to the effect that the property of the United States did not pay a tax, Mr. Bailey, of Texas, asserted that property did not even approximately contribute anything in proportion to its value to the support of the Federal government. He declared that a tax on an occupation could not be defended in any form in the world of conscience or of common sense. It was his firm conviction, he said, that wealth ought to bear the tax.

"It is a monstrous injustice," he insisted, "for a man after being compelled to wear a suit of clothes, to 'ax him for buying it. I think it is not right that obedience to God's law, a law which made us hungry, should compel us to appease our appetites, and yet be charged for the things which keep body and soul together."

Mr. Bailey argued, however, that in addition to the men of wealth, the man who exhibits an earning capacity far beyond the necessities of his home ought to be compelled to pay a tax to the government which protects him in the exercise of his talents.

MOTHER OF HAINS ON WITNESS STAND

Ordeal Proves Trying and Pathetic.
Aged Parent of the Accused
Collapses.

ALIENIST STAGE IS NOW COMING

Pleadings of Prisoner's Mother Most
Dramatic Incident of Trial—Strength
Not Sufficient to Carry Her Through
Cross Examination—Hypothetical
Question 10,000 Words Long Coming.

(By Associated Press.)
FLUSHING, N. Y., May 4.—Mrs. Virginia Jenkins Hains, mother of the defendant, concluded her testimony this afternoon after a trying and pathetic ordeal in an effort to save her son, Peter C. Hains, Jr., on trial for the murder of William E. Annis. Notwithstanding that father, mother and two brothers of Captain Hains have testified, the trial will soon reach the "alienist stage." The defense has but two more lay witnesses to examine, and as this will be done tomorrow, the five alienists retained to show that the young army officer is insane will probably testify on Thursday.

Formed Dramatic Incident.
Feeble and on the verge of nervous collapse, the testimony of Mrs. Hains, who is 69 years old, her references to "her boy" and her pleading to be allowed to tell "everything she knew," made the most dramatic incident of the trial so far.

She broke down and sobbed convulsively throughout her direct examination by John F. McIntyre, chief counsel for the defense, and when District Attorney Dewitt started his cross examination the strain proved too much for her mother's heart. She sank into the witness chair, and, covering her face with her handkerchief, sobbed bitterly. At this point Mr. Dewitt promptly announced that he had concluded the cross examination and the old lady was taken from the court room.

Ten Thousand Word Question.

The hypothetical question in regard to Captain Hains' insanity, which will be submitted to the alienists, contains ten thousand words and will require an hour and a half in reading.

A number of witnesses were called today before Mrs. Hains took the stand. The substance of their testimony was to show the alleged irrationality of the defendant, as they saw it, was previous to the time he shot and killed Annis.

TO PUNISH RIOTERS.

Military Commission Will Investigate
Massacre at Adana.

(By Associated Press.)
CONSTANTINOPLE, May 4.—Tewfik Pasha and General Scheffkett, the commander of the Constitutional forces that entered Constantinople, April 21 had a conference today regarding the military commission to be sent to Adana to investigate the massacres there and punish the instigators of the movement.

The commission which will act under martial law, is authorized to oversee the execution of those deemed guilty of murder subject only to confirmation by the sultan. Tewfik Pasha directed General Scheffkett to select a committee of strong and impartial men and it is probable that one or two non-Mohammecans will be appointed.

New Turkish Cabinet.

(By Associated Press.)
CONSTANTINOPLE, May 4.—The new cabinet will be organized as follows: Grand vizier, Hilmi Pasha; minister of the interior, Ferid Pasha; minister of justice, Kakkli Pasha; minister of public instruction, Asmi Bey; minister of mines and forests, Aristidi Pasha.

The other ministers will be retained by the last incumbents.

Mile in 56 Seconds.

(By Associated Press.)
MONTGOMERY, ALA., May 4.—Louis Chevrolet, of the Hutz team today drove an exhibition mile in 56 seconds with a 30 horsepower car at the Montgomery Automobile Association meet over the Fair grounds track. He won the 100 mile race easily in 126 minutes after having five trouble at several junctures.